

Entered - 05/27/99 - sb  
CL99L0339 - DIANNE C. MITCHELL

CLAIM OF: NORTHMOOR APARTMENTS  
690 Lindbergh Drive  
Atlanta, Georgia 30324

**00-*R*-1716**

For damages alleged to have been sustained as a result of a sewer back up  
on April 27, 1999 at 678 and 690 Lindbergh Drive and 2476 Morosgo  
Place.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0339

Date: October 10, 2000

Claimant /Victim NORTHMOOR APARTMENTS

BY: (Atty) (Ins.Co.)

Address: 690 Lindbergh Drive, Atlanta, Georgia 30324

Subrogation: Claim for Property damage \$ 3,478.89 Bodily Injury \$

Date of Notice: 05/24/99 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/27/99 Place: 678 & 690 Lindbergh Drive and 2476 Morosgo Place

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges its property was damage due to a sewer back up. The investigation determined that the City had no notice of any problems with the sewer prior to this incident. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

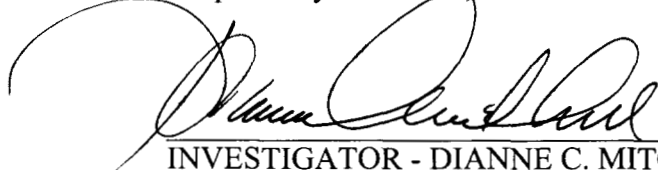
Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Dianne C. Mitchell Concur/date 10-10-00

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date:

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 16,550.00 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 4-27-99 (month/day/year). 2. Time of Incident: \_\_\_\_\_ 3. Police called: \_\_\_\_\_ Yes No

4. Location of incident (including street address): 678 Bld. Lindbergh Dr Apts A, B, C, D, E, & F ATL, GA 30324

5. Name of your insurance company: \_\_\_\_\_ Policy No. \_\_\_\_\_

6. State what and how incident occurred: 4-27-99 approx 1:45pm City was called due to 24761 Norcross Place sewer back up, downstairs area, approx 6:30pm city was unstopping area & caused 678 Bld 6 apts & office to flood with  
"See Attached Invoices (raw sewage)." ←

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

(Print Claimant's Name)

(Address)

(City, State and Zip Code)

00-R -1716

(Work Number)

(Home Number)